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GOOGLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

OVERTURE SERVICES, INC., a Delaware  
corporation,

Plaintiff,

v.

GOOGLE INC., a California corporation,

Defendant.

Case No. C 02-01991 CRB ADR

**STIPULATED REQUEST FOR AN  
ORDER CHANGING TIME;  
DECLARATION OF MICHAEL S. KWUN  
IN SUPPORT THEREOF**

**STIPULATED REQUEST FOR ORDER CHANGING TIME**

Plaintiff Overture Services, Inc. ("Overture") and defendant Google Inc. ("Google")

1 jointly request, pursuant to Civil L.R. 6-2, that the Court modify the case management schedule  
2 applicable to this case as follows:

3 (1) Google's deadline for serving Preliminary Invalidity Contentions pursuant to  
4 Patent L.R. 3-3, as well as the other deadlines set by the Patent Local Rules, shall be **stayed**  
5 pending resolution by a Magistrate Judge of Google's motion for an extension of time (filed on  
6 October 7, 2002).

7 (2) Within ten court days of the date of the order by the Magistrate Judge resolving  
8 Google's motion, the parties shall file with the Court a joint case management statement  
9 addressing any scheduling modifications that may be necessary in light of the Magistrate Judge's  
10 order.

11 The Declaration of Michael S. Kwun, below, provides the information required by Civil  
12 L.R. 6-2(a)(1)-(3), as well as the attestation required by Section X(B) of the General Order 45.

13 Dated: October 18, 2002

BRINKS HOFER GILSON & LIONE

14  
15 By: /s/ Charles M. McMahon  
16 CHARLES M. MCMAHON  
17 Attorneys for Plaintiff  
OVERTURE SERVICES, INC.

18 Dated: October 18, 2002

KEKER & VAN NEST, LLP

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21 By: /s/ Michael S. Kwun  
22 MICHAEL S. KWUN  
23 Attorneys for Defendant  
GOOGLE INC.

24 **DECLARATION OF MICHAEL S. KWUN IN SUPPORT OF STIPULATED REQUEST**  
25 **FOR ORDER CHANGING TIME**

26 I, Michael S. Kwun, declare as follows:

27 1. I am an associate at the law firm of Keker & Van Nest, LLP, counsel of record for  
28 Google in the above-captioned matter. I make this declaration in support of the parties'

1 Stipulated Request for an Order Changing Time. I make the following declaration based upon  
2 my personal knowledge, and could and would testify thereto under oath if called upon to do so.

3 2. The parties request the foregoing modifications in order to allow the Magistrate  
4 Judge time to consider Google's Motion for an Extension of Time.

5 3. The only previous time modification, whether by stipulation or Court order, was  
6 the Court's October 8, 2002 Order Granting Google's Motion for an Extension of Time. The  
7 Court vacated that order on October 17, 2002, and informed the parties that Google's motion  
8 would be referred to a Magistrate Judge.

9 4. The modification requested by the parties in the above Stipulated Request for an  
10 Order Changing Time may require rescheduling of the claim construction tutorial and hearing,  
11 which are currently scheduled for March 24 and 25, 2003, respectively, and other associated  
12 dates. The parties intend to address those issues in the joint case management conference  
13 statement described in the above Stipulated Request for an Order Changing Time.

14 5. Prior to filing the above Stipulated Request for an Extension of Time, I sent it to  
15 Charles M. McMahon for his review, and he authorized me to file the Stipulated Request on his  
16 behalf.

17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing is true and correct. Executed on this 18th day of October 2002 at San Francisco,  
19 California.

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22 /s/ Michael S. Kwun  
23 MICHAEL S. KWUN  
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